



ENTERED
12/09/2016

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

AZTEC OIL & GAS, INC. and
AZTEC ENERGY, LLC
Debtors

§
§
§
§
§

Case No. 16-31895-H2-11

Jointly Administered

**ORDER TO ALLOW PAYMENT OF
DEFENSE COSTS UNDER D&O POLICY**

(Docket No. 40)

Came on for consideration the Aztec Directors' Motion for a Comfort Order to Allow Payment of Defense Costs Under D&O Policy. Having considered the motion, the Court is of the opinion that the motion has merit, because proceeds of Berkley's Directors' and Officers' and Corporate Liability Insurance Policy # 18011382 paid to defray the Aztec Directors' defense costs would not be property of the estate and thus that payment of and receipt of policy proceeds to pay defense costs would not violate the Bankruptcy Code.

IT IS THEREFORE ORDERED that Berkley Insurance Company may pay, and the Aztec Directors Jeremy Driver, Dr. Kenneth Lehrer and Mark Vance may receive, the Aztec Directors' costs of defending the claims asserted against them in Adversary Proceeding No. 16-03107 as provided for by the terms of Berkley's Directors' and Officers' and Corporate Liability Insurance Policy # 18011382.

Signed: December 09, 2016.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE